

1 Josef D. Cooper (53015)
Tracy R. Kirkham (69912)
2 John D. Bogdanov (215830)
COOPER & KIRKHAM, P.C.
3 357 Tehama Street, Second Floor
San Francisco, CA 94103
4 Telephone: (415) 788-3030
Facsimile: (415) 882-7040
5 jdc@coopkirk.com
trk@coopkirk.com
6 jdb@coopkirk.com

7 Francis O. Scarpulla (41059)
8 Patrick B. Clayton (240191)
LAW OFFICES OF FRANCIS O. SCARPULLA
9 456 Montgomery Street, 17th Floor
San Francisco, CA 94111
10 Telephone: (415) 788-7210
Facsimile: (415) 788-0706
11 fos@scarpullalaw.com
pbc@scarpullalaw.com

12 *Counsel for Indirect Purchaser Plaintiffs*
13

14
15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17 **SAN FRANCISCO DIVISION**

18 In re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No. 3:07-cv-5944 JST

MDL No. 1917

19
20 This Document Relates to:

21 All Indirect-Purchaser Actions
22
23
24
25
26

**DECLARATION OF JOSEF D. COOPER
IN SUPPORT OF MOTION RE:
APPOINTMENT OF CO-LEAD CLASS
COUNSEL FOR INDIRECT-
PURCHASER PLAINTIFFS WITH
CLAIMS IN NON-REPEALER STATES**

Date: January 21, 2016

Time: 2:00 p.m.

Judge: The Hon. Jon S. Tigar

Courtroom: 9, 19th Floor

27
28 DECLARATION OF JOSEF D. COOPER IN
SUPPORT OF MOTION RE: APPOINTMENT OF
CO-LEAD CLASS COUNSEL

Master File No. 3:07-cv5944 JST
MDL 1917

1 I, Josef D. Cooper, declare as follows:

2 1. I am a member in good standing of the State Bar of California, and licensed to
3 practice in the states of California, Illinois and Hawaii. I am a Principal in Cooper & Kirkham,
4 P.C. I have personal knowledge of the facts stated in this Declaration and, if called as a witness, I
5 could and would testify competently to them. I make this Declaration in Support of Motion Re:
6 Appointment of Co-Lead Class Counsel for Indirect Purchaser Plaintiffs with Claims in Non-
7 Repealer States (“Motion”) (Dkt. 4241).

9 2. Pursuant to footnote 5 at page 3 of the Motion, Francis Scarpulla and I (and
10 members of our offices) conferred with representatives of the Attorneys General of Illinois,
11 Oregon and Washington on three occasions – December 17, 2015, December 21, 2015, and
12 December 23, 2015 – regarding the representation of indirect purchasers of CRTs who are
13 residents of those States.

15 3. During those conversations, we discussed the claims that would be prosecuted
16 under federal law, the claims that would be advanced by the Attorneys General under state law,
17 the relevant statutory and case law, the status of the Attorneys General’s state court actions, and
18 issues that might arise as a result of both advancing different claims for the same people in two
19 separate courts.

21 4. Based on those conversations and legal research, I believe that the claims being
22 advanced by the Attorneys General under state law are sufficiently similar to the federal claims to
23 be prosecuted in the above-captioned action so that the interests of Illinois, Oregon and
24 Washington residents will be adequately represented by the Attorneys General in their state court
25 actions. The Attorneys General have represented that they will continue to vigorously prosecute
26 these actions on behalf of their residents *parens patriae*.

1 5. As a result of these discussions, I believe that there is no need to include persons
2 with claims in Illinois, Oregon and Washington among the group of currently unrepresented class
3 members whom the undersigned would represent pursuant to this Motion.

4 I declare under penalty of perjury that the foregoing is true and correct. Executed this 4th
5 day of January, 2016, in San Francisco, California.
6

7 /s/ Josef D. Cooper
8 Josef D. Cooper
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28